



**CAPITALISM, DEMOCRACY, & THE DESIGN
OF LEGAL INSTITUTIONS IN THE FORMER COMMAND ECONOMIES**

VOLUME II

1992

**Professor Ron Daniels
and
Professor Michael Trebilcock**

**For Internal Student Use Only
Not For Public Sale**

114
75
92
2

BORA LASKIN LAW LIBRARY

SEP 3 1992

FACULTY OF LAW
UNIVERSITY OF TORONTO

**CAPITALISM, DEMOCRACY, & THE DESIGN
OF LEGAL INSTITUTIONS IN THE FORMER COMMAND ECONOMIES**

VOLUME II

1992

Professor Ron Daniels

and

Professor Michael Trebilcock

**For Internal Student Use Only
Not For Public Sale**



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

<https://archive.org/details/capitalismdemocr02dani>

CAPITALISM, DEMOCRACY, & THE DESIGN
OF LEGAL INSTITUTIONS IN THE FORMER COMMAND ECONOMIES

TABLE OF CONTENTS & SYLLABUS

VOLUME II

WEEK 9

ENTREPRENEURSHIP AND HUMAN CAPITAL FORMATION

- Janos Kornai, The Road to a Free Economy (1990) at 34. 544
- Michael Trebilcock, "The Role of Competition Policy in Non-Market Economies in Transition -- The Case of Hungary", in Butterworths Privatization in Central and Eastern Europe (1992) at 105.. 578
- Eleanor Fox and Janusz Ordover, "Free Enterprise and Competition Policy for Central and Eastern Europe and the Soviet Union", in Butterworths Privatization in Central and Eastern Europe (1992) at 85. 585
- "Business in Eastern Europe", The Economist, September 21, 1991, at 3. 602

WEEK 10

THE RULE OF LAW AND LIMITED GOVERNMENT

- Yash Ghai, "The Role of Law in the Transition of Societies: The African Experience", Journal of African Law (1991) at 8. 619
- Reuven Brenner, "The Long Road From Serfdom and How To Shorten It", Canadian Business Law Journal, vol.17, (1990) at 195. 626
- Karen Knop, "The Long Road From Serfdom: A Cultural Roadmap". 642
- Peter Solomon, "Gorbachev's Legal Revolution", Canadian Business Law Journal, vol.17, (1990) at 184. 679

(ii)

Robert Shiller et al., "Popular Attitudes Toward Free Markets: The Soviet Union and the United States Compared", American Economic Review, no.81 (1991) at 385. 685

WEEK 11

DEMOCRATIC POLITICS AND FEDERALISM

Valerie Bunce, "A Transition to Liberal Democracy?", Canadian Business Law Journal, vol.17, (1990) at 163. 701

Vojtech Cegl and Ronald Lipp, "Divorce, Czechoslovak Style", Conference on Federalism and the Nation State, June 4-6, 1992. 707

Viktor Knapp, "Federalism and the Nation State: Political Dimensions: Central and Eastern Europe", Conference on Federalism and the Nation State, June 4-6, 1992. 718

Robert Howse, "Is Federalism the Future?: A Legal Perspective", Conference on Federalism and the Nation State, June 4-6, 1992. 749

Jon Elster, "Constitutionalism in Eastern Europe: An Introduction", The University of Chicago Law Review, vol.58, no.2, Spring 1991 at 447. 802

Richard Epstein, "All Quiet on the Eastern Front", The University of Chicago Law Review, vol.58, no.2, Spring 1991 at 555. 838

Michael Walzer, "The New Tribalism", Dissent (Spring 1992) at 164. 857

Reuven Brenner, "Nationalism, Nations, and the State", Mont Pélerin Society Meetings, Sept. 3, 1992. 865

Benjamin R. Barber, "Jihad Vs. McWorld", The Atlantic Monthly, March 1992 at 53. 892

WEEK 12

TRANSITIONS, THE WELFARE STATE AND THE THIRD WAY

- Michael Trebilcock, Marsha Chandler and Robert Howse,
Trade and Transitions, (1990), ch.1. 901
- Walter Russell Mead, "Dark Continent", Harper's Magazine, April 1991, at 45. 922
- Thomas Weisskopf, "Challenges to Market Socialism:
A Response to Critics", Dissent, (Spring 1992) at 250. 931
- Alec Nove, "Market Socialism and Free Economy", Dissent,
(Fall 1990) at 443. 943
- Bogdan Denitch, "The Triumph of Capitalism?", Dissent,
(Spring 1990) at 177. 947
- Claus Offe, "Capitalism by Democratic Design? Democratic
Theory Facing the Triple Transition in East Central
Europe", Social Research, vol. 58 no. 4 (Winter 1991)
at 865. 951
- Václav Havel, Summer Meditations, Knopf, 1992 at 102. 971

WEEK 13

THE WEST AND THE EAST: TRADE, AID, ADVISE, AND EXCHANGE

- Branko Horvat, "Economic Integration of Eastern Europe",
Conference on Federalism and the Nation State,
June 4-6, 1992. 982
- D.R.R. Dunnett, "The European Bank for Reconstruction
and Development: A Legal Survey", Common Market Law
Review, (1991) at 571. 1053
- Paul McKenzie, "China's Application to the GATT: State
Trading and the Problem of Market Access", Journal of
World Trade, vol.24, (October 1990) at 133. 1067

- David Kennedy and David Webb, "Integration: Eastern Europe and the European Economic Communities", Columbia Journal of Transnational Law, vol.28, (Summer 1990) at 633. 1081
- J. Sachs, "Goodwill is not enough", The Economist, December 21, 1991. 1103
- Seev Hirsch, "Anti-dumping Actions in Brussels and East-West Trade", The World Economy, vol.11, no.4 (December 1988) at 465. 1106
- J.D. Whisenand, J.P. Sverchek & D.M. Silberstein, "Polish Debt: Will Swaps Provide the Key?", International Lawyer, 1990. 1126
- "The Polish Precedent" The Economist, April 1991. 1128
- "Now Try Again", The Economist, June 1991. 1129
- Glen Hodgson, "Transformation in Eastern Europe: The Role of the European Bank for Reconstruction and Development", IBTL Focus, IBTL Newsletter vol.3 no.2, June 1991. 1130